IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6643 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKAR

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

NATHABHAI N KOLI

Versus

THAKKARBAPA GHAR BANDHNARI SUHAKARI MANDLI LTD

Appearance:

MR CD PARMAR for Petitioner

NOTICE UNSERVED for Respondent No. 1

MR HB PAREKH for Respondent No. 2

CORAM : MR.JUSTICE C.K.THAKKAR

Date of decision: 18/02/2000

ORAL JUDGEMENT

The petition is of 1987. Rule was issued on March 1, 1988. The matter was placed for final hearing on 4th February, 2000. When it was called out for final hearing, I passed the following order:-

Mr. Mahendra Patel for Respondent No.2 is present. Mr. C.D.Parmar for the Petitioner is not present. As a last chance, S.O. to 11/02/2000.

Again the matter is called out for hearing today. Last time, Mr. Parmar was not present. Today also he is not present. Mr. Mahendra K. Patel for respondent no.2 was present on that day and he is also present today.

Mr. Patel for respondent no.2 submitted that both the authorities, namely Board of Nominee as well as Gujarat Co-operative Tribunal have decided the matter against the petitioner. The findings are finding of fact. Obviously, in exercise of powers under Art.226/227 of the Constitution of India, this Court does not undertake the task of appreciation and reappreciation of evidence. Petition, therefore, deserves to be dismissed and is accordingly dismissed. Rule is discharged. Ad-interim relief stands vacated. No order as to costs.

Date:18/2/2000. ----
ccshah